

# Hawaii Area Studies

Public Law 105-355, Section 511

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North Shore Cliffs, Molokai

United States Department of the Interior - National Park Service

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# I

## **Introduction and Background**

## **SECTION 511 OF PUBLIC LAW 105-355**

Section 511 of Public Law 105-355, titled STUDIES OF POTENTIAL NATIONAL PARK SYSTEM UNITS IN HAWAII, was enacted November 6, 1998.

511(a), titled IN GENERAL, directs the National Park Service to "undertake feasibility studies regarding the establishment of National Park System units in the following areas in the State of Hawaii:

- (1) Island of Maui: The shoreline area known as 'North Beach', immediately north of the present resort hotels at Kaanapali Beach in the Lahaina district in the area extending from the beach inland to the main highway.
- (2) Island of Lanai: The mountaintop area known as 'Hale' at the central part of the island.
- (3) Island of Kauai: The shoreline area from 'Anini Beach' to 'Makua Tunnels' on the north coast of this island.
- (4) Island of Molokai: The 'Halawa Valley' on the eastern end of the island, including its shoreline, cove and lookout/access roadway."

511(b), titled KALAUPAPA SETTLEMENT BOUNDARIES, states the "studies conducted under this section shall include a study of the feasibility of extending the present National Historic Park boundaries at Kalaupapa Settlement eastward to Halawa Valley along the island's north shore."

511(c), titled REPORT, states a "report containing the results of the studies under this section shall be submitted to the Congress promptly upon completion."

## **NATIONAL PARK SERVICE SPECIAL RESOURCE STUDIES**

The National Park Service has developed a detailed study process to evaluate areas or sites identified by Congress to determine if there are resources present which are of national significance and, if so, whether these sites are potentially suitable and feasible for inclusion by Congress in the national park system and whether direct management by the Service is required.

This study process consists of several sequential steps. The first step consists of a site investigation and the preparation of a field trip report. The site investigation and field trip report are used to decide if any further study of the area is appropriate.

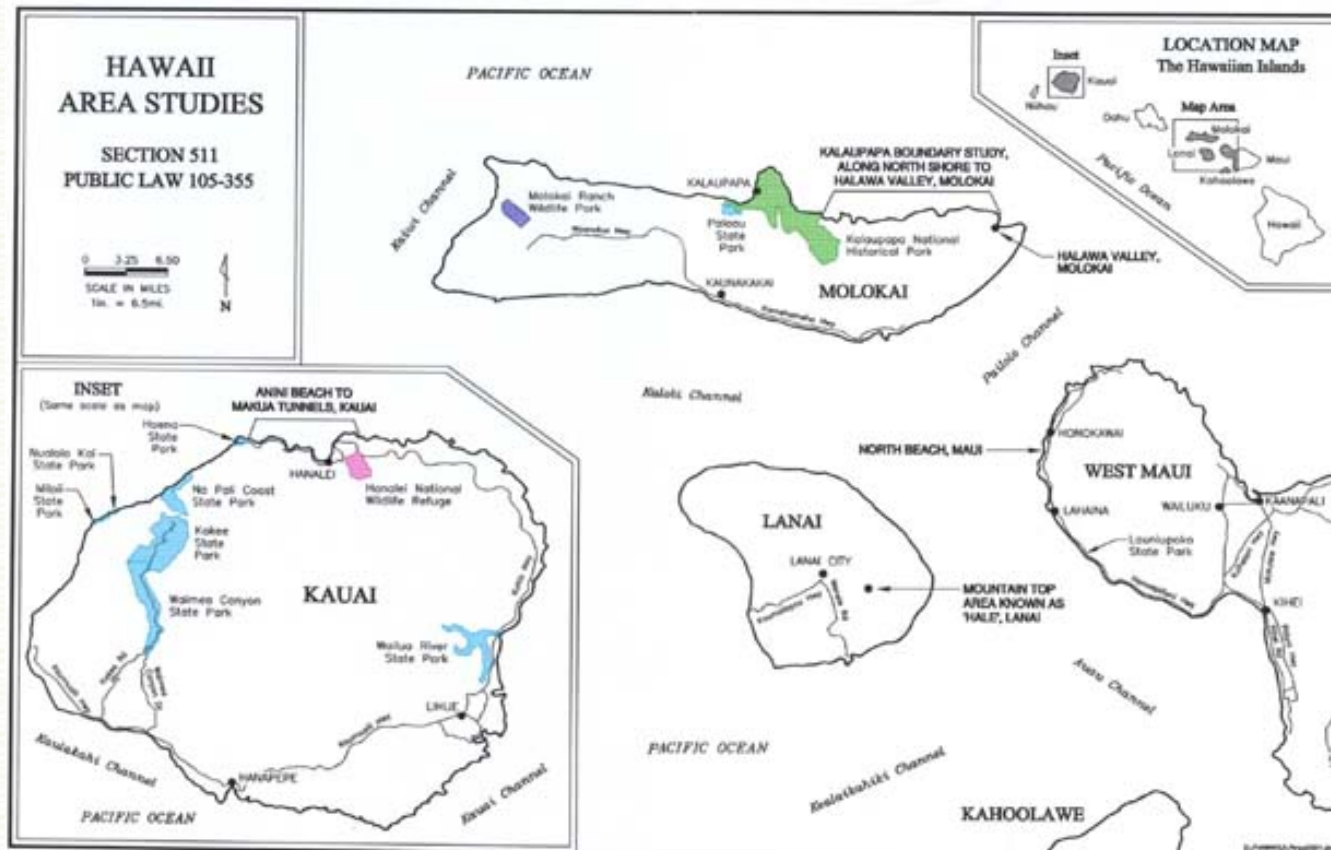
The next step consists of a reconnaissance survey to determine if the resources present possess national significance. A reconnaissance survey also includes a preliminary evaluation of suitability and feasibility. The reconnaissance survey consists of a thorough review of existing information from various sources, additional site visits and consultation with interested parties, including landowners. The conclusions reached in a reconnaissance survey are used to determine whether or not to proceed to the next step in the study process.

The third step takes place when the resources present are determined to be of national significance and the area or site appears to meet criteria for suitability and feasibility. If all these criteria are met, an alternatives study is carried out. This study contains an assessment of alternative means for protecting and managing study area resources by entities other than the National Park Service, both government and non-government.

The determination of national significance is made based on criteria established by the National Park Service. These criteria are found in National Park Service Management Policies and are repeated and expanded in the brochure, Criteria for Parklands. To qualify as an addition to the national park system, an area must meet all criteria for national significance.

A natural, cultural, or recreational resource will be considered nationally significant if it meets all of the following criteria:

## Location Map, Hawaii Area Studies



It is an outstanding example of a particular type of resource.

It possesses exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.

It offers superlative opportunities for public enjoyment or for scientific study.

It retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a resource.

Once an area is found to contain resources that are of national significance, then it must also meet criteria for both suitability and feasibility in order to qualify as a potential addition to the national park system.

To be found suitable for addition to the national park system, an area must represent a natural/cultural theme or themes or type of recreational resource that is not already adequately represented in the national park system, unless such an area is comparably protected and presented for public enjoyment by another land managing entity.

Whether the area being studied is already adequately represented is determined on a case-by-case basis by comparing it with other units in the national park system.

To be feasible as a new unit of the national park system, an area must be of sufficient size and appropriate configuration, considering natural systems and/or historic settings, to ensure long-term protection of resources and to accommodate public use, and it must have potential for efficient administration at a reasonable cost. Feasibility factors include land ownership, acquisition costs, access threats to the resource, and staff or development requirements.

Finally, to be eligible for favorable consideration as a unit of the national park system, an area must be found to require direct management by the National Park Service instead of alternative protection by other government agencies or the private sector.

## **NATIONAL PARK SERVICE CRITERIA FOR BOUNDARY ADJUSTMENTS**

Section 1216 of Public Law 101-628 directs the Secretary of the Interior to develop criteria to evaluate any proposed changes to the existing boundaries of individual units of the national park system. These criteria are to include:

- (1) analysis of whether the existing boundary provides for the adequate protection and preservation of the natural, historic, cultural, scenic and recreational resources integral to the unit;
- (2) an evaluation of each parcel proposed for addition or deletion based on this analysis; and
- (3) an assessment of the impact of potential boundary adjustments taking into consideration the factors listed above as well as the effect of the adjustments on the local communities and surrounding areas.

Section 1217 of Public Law 101-628 provides that in proposing any boundary change, the Secretary shall:

- (1) consult with affected agencies of State and local governments, surroundings communities, affected landowners and private national, regional and local organizations;
- (2) apply criteria developed pursuant to section 1216 and accompany the proposal with a statement reflecting the results of the application of such criteria; and
- (3) include an estimate of the cost of acquisition of any parcels proposed for acquisition together with the basis for the estimate and a statement on the relative priority for the acquisition of each parcel within the priorities for other lands in the unit and the national park system.

The National Park Service has determined that the current criteria for boundary adjustments contained in the 1988 Management Policies meet most of the requirements of Public Law 101-628. These policies call for the National Park Service to conduct studies of

potential boundary adjustments and, depending on study findings, recommend boundary revisions. Lands recommended as additions existing units of the national park system must:

- (1) contain significant resources or opportunities for public enjoyment related to the purposes of the park;
- (2) address operational and management issues such as access and boundary identification by topographic or other natural features or roads;
- (3) protect park resources critical to fulfilling the park's purposes; and
- (4) be feasible to administer considering size, configuration, ownership, costs and other factors.

In addition, other alternatives for management and resource protection need to be assessed and judged to be not adequate. Where a boundary adjustment appears to be appropriate, the National Park Service will recommend it to the Secretary of the Interior for legislative or administrative action.

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